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10/761,451	01/20/2004	Dong Yu	M61.12-0582	3046
27366 7590 11/07/2007 WESTMAN CHAMPLIN (MICROSOFT CORPORATION) SUITE 1400 900 SECOND AVENUE SOUTH MINNEAPOLIS, MN 55402-3319			EXAMINER SHAH, PARAS D	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/761,451

Applicant(s)

YU ET AL.

Examiner

Paras Shah

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 4, 6-9, and 11-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-9 and 11-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This communication is in response to the Arguments filed on 09/24/2007. Claims 1, 3, 4, 6-9, and 11-25 are pending and have been examined. The Applicants' amendment and remarks have been carefully considered, but they are not persuasive and do not place the claims in condition for allowance. Accordingly, this action has been made FINAL.
2. All previous objections and rejections directed to the Applicant's disclosure and claims not discussed in this Office Action have been withdrawn by the Examiner.

### ***Response to Arguments***

3. Applicant's arguments (pages 9-23) filed on 09/24/2007 with regard to claims 1, 3, 4, 6-9, and 11-25 have been fully considered but they are not persuasive. Due to the newly added limitations, a new reference was applied to teach the newly amended claims. The added limitations comprise the "word pair is added to the user's lexicon is based at least partially upon the most recent time..." as recited in claim 23, "correction based at least partially upon the number of words changed..." as recited in claim 24, and "...requesting a user conformation." As recited in claim 25.

As to the arguments regarding claim 1, the Applicants argue that Nassiff does not teach the limitation of "modify a probability associated with an existing pronunciation" since the language model is updated and not the acoustic model. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., updating an

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acoustic model) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, the cited reference does not teach away from the current limitation. Further, the following passages are cited in Nassiff, (col. 6, lines 64-65 and col. 7, lines 43-61) to show the updating of the language model and the relevant statistical scores (e.g. probability). Furthermore, the word patterns as disclosed to Nassiff is a representation of word sequences (see col. 6, lines 60-66) that consist of probabilities associated with each other. A change in the sequence of word directly affects the pronunciation, where the stated reference prevents future misrecognition by updating the language model (see col. 6, lines 33-34).

As to the arguments regarding claim 7, the Applicants argue that Nassiff does not teach the limitation of “inferring whether the change is a correction, or editing includes comparing a speech recognition score of the dictated text ...” The examiner traverses this argument by citing col. 5, lines 32-48 and col. 7, lines 49-63. The system makes a determination or inference is a correction or edit has been made. If this has been done then the system knows an error has occurred. The latter citation shows a comparison between the misrecognized word and the recognized word. A close match using a statistical measure is compared and if within a threshold the language model is updated or leaned.

As to the arguments regarding claim 9, the Applicants argue that Nassiff in view of Gould does not teach “measuring the amount of time between dictation and the

change". The examiner traverses these arguments by again citing the passages in Gould on page 5, lines 56-59 and on page 7, lines 13-19. An inference is made by first allowing the use to correct and error between a predetermined time, which in this case is the last three utterances. The system makes an inference by detecting this edit and updating speech models and hence meets the limitation as cited in claim 9.

As to the arguments regarding claim 20, the Applicants argue that Nassiff in view of Hon (809) in view of Hon (903) does not teach does not teach "determining whether the new pronunciation has occurred a pre-selected number of times." In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The Nassiff reference states the updating or learning of the language model as discussed above in claim 1. Furthermore, Hon (903) teaches that if the phoneme has occurred a selected number of times then incorrect recognition has occurred (see col. 7, lines 17-23). The Nassiff reference states the detection of misrecognition error. The use of the Hon *et al.* reference presents a method to detect misrecognition errors based on frequency of misrecognized words (see Hon col. 7, lines 17-23).

As to the arguments regarding claim 21, the Applicants argue that Nassiff in view of Hon (801) does not teach the limitation "adding at least one word pair to the user lexicon." The examiner traverses this argument by citing again the Hon (801) reference that presents a method of adding words to the lexicon. Furthermore, the Nassiff

reference discloses the recognition of two similarly recognizable words. Specifically, "steep" and step" as in col. 7, lines 43-60. determination is made if the word is in the replacement word in on the list. If it is not then a close match is found. Each word on the replacement list represents a corresponding pair to another word that may be misrecognized. Hence, the Hon (801) reference was used to teach the adding of a word to a lexicon, which benefits the correction for speech recognition as, taught by Nassiff by updating a replacement word list. Hence the combination of references teaches the above limitations.

As to claim 22, the Applicants argue that Nassiff in view of Hon (801) does not teach the limitation "word pair is added to the lexicon temporarily." The examiner traverses this argument by citing the Nassiff reference discloses the recognition of two similarly recognizable words. Specifically, "steep" and step" as in col. 7, lines 43-60. determination is made if the word is in the replacement word in on the list. If it is not then a close match is found. Each word on the replacement list represents a corresponding pair to another word that may be misrecognized. Hence, the Hon (801) reference was used to teach the adding of a word to a lexicon, which benefits the correction for speech recognition as, taught by Nassiff by updating a replacement word list. Furthermore, the Nassiff *et al.* reference identified a problem, namely, if misrecognition has taken place due to an error or a user edit. The checking to a replacement word list is done. The ability to store a word temporarily is relative, where the word's score is increased to recognize the words in a future instance (see Hon(801)

col. 9 lines 11-27). This new score associated with the word allows the word in the lexicon to be different since adaptation to the acoustic models has been performed.

***Response to Amendment***

4. Applicants' amendments filed on 09/24/2007 been fully considered. The newly amended limitations and added claims 23-25 necessitate new grounds of rejection.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 4, 7, 8, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Nassiff *et al.* (US 6,418,410).

As to claim 1, Nassiff *et al.* teaches

a computer-implemented speech recognition system comprising:

a microphone to receive user speech (see col. 4, lines 16-18);

a speech recognition engine coupled to the microphone (see col. 4, lines 16-17) (e.g. The speech recognition engine receives input from the microphone so it is implied that the two are coupled.), and being adapted to recognize the user speech (see col. 4, lines 15-19) and provide a textual output on a user interface (see col. 2, lines 19-20 and col. col. 5, lines 32-38); and

wherein the recognition engine is adapted to determine if the user's pronunciation caused the error, and selectively modify a probability associated with an existing pronunciation (see col. 7, lines 55-66) (e.g. The use of a statistical quantity with the updating of a language model implies that a probability value is associated with a word when comparisons are made (see col. 6, lines 28-31)).

As to claim 4, Nassiff *et al.* teaches wherein the recognition engine is adapted to determine if the user's pronunciation caused the error and selectively learn the new pronunciation (see col. 6, lines 45-50 and lines 57-58) (e.g. The determination is made as to whether a misrecognition error has occurred, if so the language model is updated.).

As to claim 7, Nassiff *et al.* teaches a method of learning with an automatic speech recognition system, the method comprising:

detecting a change to dictated text (see col. 5, lines 33-40, based on deletion or typing over the words);

inferring whether the change is a correction, or editing (see col. 5, lines 33-48, correction or editing is determined based on deletion (editing) or typing over the words (correction.); and



wherein inferring whether the change is a correction includes comparing a speech recognition engine score (see col. 6, lines 28-31) of the dictated text and of the changed text (see col. 7, lines 50-62).

if the change is inferred to be a correction, selectively learning from the nature of the correction without additional user interaction (see col. 6, lines 45-50).

As to claim 8, Nassiff *et al.* teaches wherein inferring whether the change is a correction includes detecting whether the user selected from an alternate list to make the change (see col. 6, lines 4-10).

As to claim 11, Nassiff *et al.* teaches wherein inferring includes detecting the number of words changed (see col. 5, line 25-29 and lines 33-37, the number of words changed are the replacement words, where the replacement words can be 1 or more words. The words are counted in order to identify the replacement words of the existing word.).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 6, 12, 13, 21, and 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiff *et al.* in view of Hon *et al.* (US 5,852,801).

As to claims 3, 12, and 21, Nassiff *et al.* teaches the use of a user lexicon (see col. 6, line 25 and col. 6, line 28)) (e.g. the alternative word list).

However, Nassiff *et al.* does not specifically teach the user updating of new words in the lexicon.

Hon *et al.* (801) does teach the use of a lexicon, which is updated for new words (see col. 9, lines 36-40), where words are added when determining if the words exist in the user lexicon (see col. 7, lines 66-67 and col. 8, lines 1-3) (e.g. The determination is made of whether the word is in the lexicon if it is unrecognized).

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the correction of dictating speech of Nassiff *et al.* with the inclusion of an updating lexicon for adding corrected or new words as taught by Hon (801). The motivation to have combined the references involves the reduction of errors when spoken words are not found in the lexicon of the recognition engine so as to adapt to unrecognized words in a speech recognition system (see Hon (801) col. 1, lines 33-36 and lines 54-56).

As to claim 6, Nassiff *et al.* teaches the updating of the user lexicon not based on new words or new pronunciation (see col. 6, lines 45-50) (e.g. Since the updating of the language models is performed, the extraction of the specific word will be retrieved and

hence is an alternate form of a word in the alternate list as indicated by the reference (e.g. The example given is “steep” and “step”).

Hon *et al.* (801) does teach the use of a lexicon, which is updated for new words (see col. 9, lines 36-40), where words are added (see below) when determining if the words exist in the user lexicon (see col. 7, lines 66-67 and col. 8, lines 1-3) (e.g. The determination is made of whether the word is in the lexicon if it is unrecognized).

However, Nassiff *et al.* does not specifically teach the user adding of new words in the lexicon.

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the correction of dictating speech of Nassiff *et al.* with the inclusion of an updating lexicon for adding corrected or new words as taught by Hon (801). The motivation to have combined the references involves the reduction of errors when spoken words are not found in the lexicon of the recognition engine so as to adapt to unrecognized words in a speech recognition system (see Hon (801) col. 1, lines 33-36 and lines 54-56).

As to claim 13, Nassiff *et al.* teaches wherein,

if the corrected word does exist in the user lexicon (see col. 6, line 25) (e.g. Lexicon can be interpreted to be the alternative word list that is preexisting (see col. 6, lines 10-12)), selectively learning from the nature of the correction further includes, determining if the user’s pronunciation deviated from existing

pronunciations known by the system (see col. 2, lines 13-22) (e.g. The comparison is made between the replacement word and the dictated word)); and selectively learning the pronunciation (see col. 6, lines 45-50) (e.g. In order to update the language models.)

However, Nassiff *et al.* does not specifically teach the user adding of new words in the lexicon.

Hon *et al.* (801) does teach the use of a lexicon, which is updated for new words (see col. 9, lines 36-40), where words are added when determining if the words exist in the user lexicon (see col. 7, lines 66-67 and col. 8, lines 1-3) (e.g. The determination is made of whether the word is in the lexicon if it is unrecognized).

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the correction of dictating speech of Nassiff *et al.* with the inclusion of an updating lexicon for adding corrected or new words as taught by Hon (801). The motivation to have combined the references involves the reduction of errors when spoken words are not found in the lexicon of the recognition engine so as to adapt to unrecognized words in a speech recognition system (see Hon (801) col. 1, lines 33-36 and lines 54-56).

As to claim 22, Nassiff *et al.* teaches the temporary addition to the user lexicon (see col. 7, lines 43-62) (e.g. The language model is updated depending on the

recognition of the word (step and steep in the example). Once updated that model is stored until another error is found.) .

However, Nassiff *et al.* does not specifically teach the user updating of new words in the lexicon.

Hon *et al.* teaches the adding of new words to the user lexicon (see col. 9, lines 36-40). Since the language model is updated the temporary storing of words based on presence or absence in the user lexicon would be obvious to one of skilled in the art.

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the correction of dictated speech of Nassiff *et al.* with the inclusion of an updating lexicon for adding corrected or new words as taught by Hon (801). The motivation to have combined the references involves the reduction of errors when spoken words are not found in the lexicon of the recognition engine so as to adapt to unrecognized words in a speech recognition system (see col. 1, lines 33-36 and lines 54-56).

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiff *et.* in view of Gould (EP 0773 532 A2).

As to claim 9, Nassiff *et al.* does not specifically teach the measuring of the amount of time between dictation and the change.

Gould does teaches the measuring of the time between dictation and change by the use of long term editing (see page 5, lines, 56-59) (e.g. allows the

user to edit correct or incorrect text from an earlier time) and short term speech error recognition (see. Page 7, lines 13-19) (e.g. The user can correct a predetermined number of user's last utterances which is determined to be misrecognized. It is implied that this may take shorter amount of time since fewer words are analyzed for error).

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the correction of dictated speech of Nassiff *et al.* with the inclusion of a known time or fixed length of words as taught by Gould. The motivation to have combined the references involves the editing of misrecognized words and words recognized correctly but user changes mind as would benefit the system presented by Nassiff *et al.* to allow correctly recognized words to be changed as well as misrecognized words (see page 5, lines 56-58 and page 2, lines 22-29).

10. Claims 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiff *et al.* in view of Hon *et al.* (US 5,852,801) as applied to claim 13 above, and further in view of Hon *et al.* (US 5,963,903).

As to claim 14, Nassiff *et al.* and Hon *et al.* (US 5,852,801) do not teach the forced alignment of the wave based on a context word.

Hon *et al.* (903) does teach the aligning of waves based on misrecognized word and correct word (see col. 6, lines 57-65 and co. 7, lines 15-18).

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the correction of dictated speech presented by Nassiff *et al.* and Hon *et al.* (US 5,852,801) with the inclusion of alignment between two words. The motivation to have combined the references involves the determination and knowledge as to which phonemes are inaccurately modeled based on input speech (see Hon *et al.* (US 5,963,903) col. 37-42) as would benefit the speech recognition system presented by Nassiff *et al.* to enhance phonetic and pronunciation recognition.

As to claim 15, Hon *et al.* (US 5,963,903) teaches wherein determining if the user's pronunciation deviated from existing pronunciations includes identifying in the wave the pronunciation (see col. 7, lines 4-7) (e.g. The user is asked to pronounce the words and then the result is compared to the correct word phonemes) of the corrected word (see col. 7, lines 15-24) (e.g. In determining the pronunciation, the individual phoneme units are compared based on the phoneme models as denoted in the reference.)

As to claim 16, Hon *et al.* (US 5,963,903) teaches wherein building a lattice based upon possible pronunciations of the corrected word and the recognition result. (see col: 6, lines 57-65).

As to claims 17 and 19, Nassiff *et al.* teaches wherein generating a confidence score based at least in part upon the comparison value of statistical threshold of the corrected pronunciation and the error (see col. 7, lines 43-62).

As to claim 18, Hon *et al.* (US 5,963,903) teaches wherein generating a confidence score based at least in part upon an Acoustic Model score of the newly identified phoneme with existing models (see col. 7, lines 54-65).

As to claim 20, Hon *et al.* (US 5,963,903) teaches wherein the phoneme occurred a selected number of times. (see col. 7, lines 21-24). It would have been obvious to one of ordinary skilled in the at the time the invention was made to have determined if the pronunciation consisting of phonemes occurred a selected number of times for the ability to model those phoneme models that are inaccurately modeled (see col. 7, lines 15-18).

11. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiff *et al.* in view of Hon *et al.* (801) as applied to claim 22 above, and further in view of Hoffman *et al.* (US 2003/0139922).

As to claim 23, Nassiff *et al.* in view of Hon *et al.* teach all of the limitations as in claim 22, above.

Furthermore, Nassiff *et al.* teaches the recognition of two similarly recognizable words (word pair). Specifically, "steep" and step" as in col. 7, lines



43-60. (e.g. Determination is made if the word is in the replacement word in on the list. If it is not then a close match is found. Each word on the replacement list represents a corresponding pair to another word that may be misrecognized.

Furthermore, the Hon (801) reference was used to teach the adding of a word to a lexicon (see col. 9, lines 36-40).

However, Nassiff in view of Hon *et al.* do not specifically teach addition of a word pair based on the most recent time the word pair is observed and the relative frequency that the pair has been observed in the past.

Hoffmann *et al.* teaches the addition of a word to a lexicon (vocabulary) is based at least partially upon the most recent time the word pair is observed (see [0015], FIFO, where the words not used for a long time are omitted) and the relative frequency (see [0015] and [0031], frequency of occurrence, that the pair has been observed in the past.)

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the speech recognition system as taught by Nassiff *et al.* in view of Hon *et al.* with the updating a vocabulary depending on frequency and time as taught by Hoffmann *et al.*. The motivation to have combined the references involves continuous renewal of the vocabulary to eliminate word snot used often and those not used for a long time (See Hoffmann *et al.*, [0015]).

12. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiff *et al.* in view of Gould (EP 0773 532 A2).

As to claim 24, Nassiff *et al.* teaches a method of learning with an automatic speech recognition system, the method comprising:

detecting a change to dictated text (see col. 5, lines 50-61, change is detected by a typing over the dictated word or deletion.)

inferring whether the change is a correction (see col., lines 60-61) based at least partially upon the number of words changed (e.g. It is obvious to the reference that the number of words are taken into consideration to find out which words were changed (see col. 5, lines 58-61, where replacement words and dictated words are one or more words. The deletion or typing over makes the inferring obvious in order to determine which words were edited or corrected.); and

if the change is inferred to be a correction, selectively learning from the nature of the correction (see col. 7, lines 43-61, language models are updated or learned from the correction of steep to step.)

The Gould reference is applied to show the use of specific number of words that are to be corrected. Gould teaches the determine the number of words that are corrected (see. Page 7, lines 13-19) (e.g. The user can correct a predetermined number of user's last utterances which is determined to be misrecognized. The limit used in the reference is three,. Further the detection of a change is determined by saying a phrase or typing or through mouse selection.

The use of mouse selection allows the computer to realize which words need to be corrected (see page 7, lines 20-27)).

It would have been obvious to one of ordinary skilled in the art at the time the invention was made to have modified the correction of dictated speech of Nassiff *et al.* with the inclusion of determining number of words as taught by Gould. The motivation to have combined the references involves the editing of misrecognized words and words recognized correctly but user changes mind as would benefit the system presented by Nassiff *et al.* to allow correctly recognized words to be changed as well as misrecognized words (see Gould page 5, lines 56-58 and page 2, lines 22-29).

As to claim 25, Nassiff in view of Gould teach all of the limitations as in claim 24, above.

Furthermore, Gould teaches wherein if the change is inferred to be a correction, requesting a user confirmation (see page 7, lines 20-36, correction window pops up as well as spelling window) (e.g. Based on the system determining that a change in the dictated text is found by a command or selection, the change being a correction is verified by the use of a correction or spelling window that pops up for the user to edit or correct the entry. This is the confirmation as to whether a correction needs to be made)

**Conclusion**

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paras Shah whose telephone number is (571)270-1650. The examiner can normally be reached on **MON.-THURS. 7:30a.m.-4:00p.m. EST**.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571)272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

P.S.

11/1/2007



PATRICK N. EDOUARD  
SUPERVISORY PATENT EXAMINER